

Victor M. Perez, SBN 114381
THE PEREZ LAW FIRM
1304 W. Center Avenue
Visalia CA 93291
Telephone: (559) 625-2626
Facsimile: (559) 625-3064

Attorney for Defendant DIEGO GARCIA LUA

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DIEGO GARCIA LUA,

Defendant.

CASE NO.: 1:20-CR-00031 NONE SKO

STIPULATION AND ORDER TO
MODIFY CONDITIONS OF RELEASE
AND REMOVE ELECTRONIC MONITOR

Defendant DIEGO GARCIA LUA, through his counsel Attorney Victor M. Perez, hereby
represents and requests as follows:

1. On July 7, 2020, Mr. Garcia Lua was ordered released on Pretrial Supervision with
Location Monitoring and Home Detention, including the posting of a \$2,000,000.00 property bond
and third-party custody of his daughter, Michelle Lua.

2. Mr. Garcia Lua was released on September 21, 2020.

3. Since his release, Mr. Garcia Lua is and has remained in full compliance with all the
terms and conditions of his Pretrial Services conditions of release.

4. Mr. Garcia Lua has participated in substance abuse testing with no positive drug tests.
He has maintained a stable residence with his daughters. He has not had any contact with law
enforcement or contact with any of his co-defendants. Mr. Garcia Lua has also complied with all
of the rules and regulations of Pretrial Services, including the requirements of the Location

1 Monitoring program.

2 5. The Assistant United States Attorney, who is counsel of record for the United States,
3 does not oppose the defendant's request based on the above representations and the concurrence
4 of Pretrial Services Officer Frank Guerrero.
5

6 6. Based on the above factors and the fact that Mr. Garcia Lua is still subject to a
7 \$2,000,000.00 secured property bond, Pretrial Services is recommending the removal of the
8 Location Monitoring condition.

9 Defendant therefore requests the following modification of pretrial supervision:

10 **AMENDED SPECIAL CONDITIONS OF RELEASE**

11 1. Mr. Garcia Lua's pretrial release condition shall be modified to remove the
12 Location Monitoring condition.
13 and the immediate removal of Mr. Garcia Lua's electronic monitor.

14 **IT IS SO STIPULATED.**

15 Dated:

/s/ Victor M. Perez
VICTOR M. PEREZ
THE PEREZ LAW FIRM
Attorney for Defendant
1304 W. Center Avenue
Visalia CA 93291
Telephone (559) 625-2626
Facsimile (559) 625-3064

PHILLIP A. TALBERT
Acting United States Attorney

23 By

24 Dated:

/s/ Katherine Englander Schuh
KATHERINE ENGLANDER SCHUH
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, California 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

ORDER

IT IS SO ORDERED that Mr. Garcia Lua's pretrial release condition shall be modified to remove the Location Monitoring condition and that Mr. Garcia Lua's currently installed electronic monitor be removed. All other conditions of release are to remain as previously ordered.

IT IS SO ORDERED.

Dated: **June 9, 2021**

A handwritten signature in blue ink, appearing to read "James A. Be...", is written over a horizontal line.

UNITED STATES MAGISTRATE JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28